

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS Inc.,)	
)	
Plaintiff,)	Civil Action No. 3:09-CV-620 (REP)
)	
v.)	
)	
LAWSON SOFTWARE, INC.,)	
)	
)	
Defendant.)	

**DECLARATION OF DAVID M. YOUNG, ESQ., IN SUPPORT OF PLAINTIFF ePLUS,
INC.'S MOTION TO STRIKE PORTIONS OF DEFENDANT'S EXPERT REPORT AND
EXCLUDE FROM TRIAL ALLEGED PRIOR ART AND INVALIDITY ARGUMENTS
NOT DISCLOSED IN DEFENDANT'S COURT-ORDERED INVALIDITY
CONTENTIONS**

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I, David M. Young, declare as follows:

1. I am an attorney at Goodwin Procter LLP, counsel for Plaintiff ePlus Inc. in this action. I submit this declaration in support of Plaintiff ePlus Inc.'s Motion to Strike Portions of Defendant's Expert Report and Exclude from Trial Alleged Prior Art and Invalidity Arguments Not Disclosed in Defendant's Court-Ordered Invalidity Contentions.

2. I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently hereto.

3. Attached hereto as Exhibit A is a true and accurate copy of the Scheduling Order and Pretrial Schedule A filed with the Court on November 18, 2009.

4. Attached hereto as Exhibit B is a true and accurate copy of excerpts from the Transcript of the Pretrial Conference conducted on November 13, 2009.

5. Attached hereto as Exhibit C is a true and accurate copy of excerpts from the Transcript of the Conference Call conducted on March 26, 2010.

6. Attached hereto as Exhibit D is a true and accurate copy of excerpts from Defendant Lawson Software, Inc.'s Second Supplemental Initial Statement of Invalidity Defenses, dated April 9, 2010.

7. Attached hereto as Exhibit E is a true and accurate copy of excerpts from the Transcript of the Conference Call conducted on April 29, 2010.

8. Attached hereto as Exhibit F is a true and accurate copy of excerpts from the (Corrected) Report of Expert Michael I. Shamos, Ph.D., J.D. Concerning Invalidity, dated May 7, 2010.

9. Attached hereto as Exhibit G is a true and accurate copy of this Court's Order of March 29, 2010.

10. Attached hereto as Exhibit H is a true and accurate copy of a document prepared by counsel for *ePlus* entitled "Excerpts from Shamos Claim Charts Identifying Citations to New References."

11. Attached hereto as Exhibit I is a true and accurate copy a letter from counsel for Lawson Software to counsel for *ePlus*, dated May 7, 2010.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Washington, D.C., this 14th day of May, 2010.

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 14th of May, 2010, the foregoing

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was electronically filed with the Clerk of the Court using the CM/EFC system, which will then send a notification of such filing (NEF) to the following. Copies of the foregoing were also transmitted *via electronic mail* to the following:

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